

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHOD FOR OPTIMIZING THERAPEUTIC EFFICACY OF NEMORUBICIN**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on October 8, 2003 as a ~~United States Application No.~~ or PCT International Application Serial No. PCT/EP03/011180 and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37 Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 (a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Number	Country	Date of Filing Day/Month/Year	Priority Claimed Under 35 U.S.C. 119
02079489.7	Europe	28/10/2002	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Number)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35, United States Code, Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

\_\_\_\_\_  
Application Serial No.

\_\_\_\_\_  
Filing Date

\_\_\_\_\_  
Status

\_\_\_\_\_  
Application Serial No.

\_\_\_\_\_  
Filing Date

\_\_\_\_\_  
Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Peter I. Bernstein; Reg. No. 43,497  
Frank S. DiGiglio; Reg. No. 31,346  
Leopold Presser; Reg. No. 19,827  
Edward W. Grolz; Reg. No. 33,705  
Paul J. Esatto, Jr.; Reg. No. 30,749  
John S. Sensny; Reg. No. 28,757  
Mark J. Cohen; Reg. No. 32,211  
Steven Fischman; Reg. No. 34,594  
Thomas Spinelli; Reg. No. 39,533

(9)

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Address all correspondence to Peter I. Bernstein, Scully, Scott, Murphy & Presser, 400 Garden City Plaza, Suite 300, Garden City, New York 11530

1-00

Full name of sole or first inventor <b><u>Maria Cristina Geroni</u></b>	
Sole or first inventor's signature <i>M. Geroni</i>	Date <i>Dec. 2, 2005</i>
Residence Via Correggio, 48, <u>Milan</u> I-20149 Italy <i>ITX</i>	
Citizenship Italian	
Post Office Address Same as residence	

2-00

Full name of second inventor <b><u>Maria Adele Pacciarini</u></b>	
Second inventor's signature <i>Maria Adele Pacciarini</i>	Date <i>Dec 5, 2005</i>
Residence Via degli Imbriani, 39, <u>Milan</u> I-20158 Italy <i>ITX</i>	
Citizenship Italian	
Post Office Address Same as residence	



IAPG Rec'd PCT/PTO 12 DEC 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Maria Cristina Geroni, et al. **Examiner:** Unassigned  
**Serial No.:** 10/533,017 **Art Unit:** Unassigned  
**Int'l Appln. No.:** PCT/EP03/11180 **Docket:** 18086  
**Filed:** April 28, 2005 **Dated:** December 8, 2005  
**Int'l Filing Date:** October 8, 2003  
**For:** METHOD FOR OPTIMIZING THERAPEUTIC EFFICACY OF NEMORUBICIN

**Confirmation No.:** 9303

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBMISSION OF DECLARATION  
AND POWER OF ATTORNEY**

Sir:

Enclosed is a Declaration and Power of Attorney for the above application previously filed without a declaration. The requisite \$130.00 surcharge for this filing was previously paid on April 28, 2005.

Any additional charges required in connection with this submission may be charged to Deposit Account No. 19-1013/SSMP. A duplicate of this sheet is enclosed.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**Dated:** December 8, 2005

  
Peter I. Bernstein

This submission is believed to be timely and in compliance with 37 C.F.R.

§§1.51, 1.63. A copy of the Notification Of Missing Requirements dated October 20, 2005, is enclosed as required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter I. Bernstein', with a stylized, flowing script.

Peter I. Bernstein  
Registration No. 43,497

Scully, Scott, Murphy & Presser  
400 Garden City Plaza, Suite 300  
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PIB:dg



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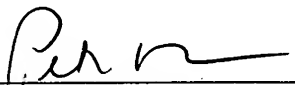
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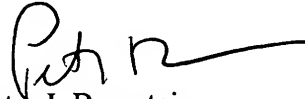
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